

## **Civil Penalties:**

The Forest Practices Rules prescribe how to conduct forest practices such as logging, road building, and applying chemicals in ways that protect public resources. When operators or landowners do not follow the rules, the department issues enforcement orders and may also issue a civil (monetary) penalty.

A civil penalty is most often issued when the violation caused significant environmental damage, when an operator or landowner does not comply with the department's enforcement orders, or when the operator or landowner has a history of repeated violations. All civil penalties become final orders of the department unless appealed. Civil penalties may be appealed to the department supervisor and to the Forest Practices Appeals Board. If a penalty is upheld upon appeal, it becomes a final order of the department. The following penalties were issued and became final during the current year and 3 preceding years.

### **Forest Practices Civil Penalties**

Issued January 1, 2003 through June 15, 2006  
Final Orders of the Department

Status as of June 16, 2006

<b>Name</b>	<b>City</b>	<b>State</b>	<b>Violation</b>	<b>Status</b>	<b>CP Amount</b>	<b>Date of Final Order</b>	<b>DNR Region</b>
Rodius, John Wayne	Port Angeles	WA	Operating without FPA.	Paid	\$10,000.00	1/18/03	South Puget Sound
Eiger Skyline Inc	Leavenworth	WA	Harvest during closed season within 70 acres of habitat outside a SOSEA	Paid	\$3,000.00	10/14/03	Southeast
Wiltse, Kevin Kevin Wiltse Logging	Kettle Falls	WA	Operating without a permit. Failure to obey a Stop Work Order. Operating equipment in fish bearing water.	Not Paid	\$17,500.00	1/29/04	Northeast
Hart Brothers	So. Colby	WA	2 penalties issued: Violation FPA approval conditions, ground based logging in wetland, ground based logging on saturated soils in wetland, skid trail location and maintenance, operating without approved FPA.	Paid	\$10,000.00	2/26/04	South Puget Sound
Brown, Michael S.	Wauconda	WA	Operating without a permit. Riparian management zone damage.	Paid	\$9,500.00	4/2/04	Northeast
Hayden, Harold	Kettle Falls	WA	Operating without a permit.	Paid	\$5,000.00	5/5/04	Northeast

Jackson, Ronald W.	Aberdeen	WA	Harvest within core zone, false information in FPA.	Paid	\$9,000.00	9/24/04	Pacific Cascade
Aloha Lumber Corp	Olympia	WA	Deviation from an approved permit	Paid	\$2,000.00 \$7,000.00 suspended	2/15/05	Northwest
Cox, Kevin dba Cox Consulting LLC	Kettle Falls	WA	Deviation from approved permit	Paid	\$10,000.00	5/24/05	Northeast
Bowe, Donald	Ketchikan	AK	Operating without permit, harvest in RMZ, ground based equipment In type 3	Paid	\$9,5000.00	6/27/05	Northeast
Moore, Don	Hoquiam	WA	Deviation from an approved permit	Paid	\$7,000.00	2/11/06	Olympic
Baldwin, Jasson	Salkum	WA	Deviation from an approved permit	Not Paid	\$4,000.00	1/25/06	Pacific Cascade
Reichert and Day	Toledo	WA	Deviation from an approved permit	Paid	\$10,000.00	5/25/06	Olympic
Washington Timberland Management	Union	WA	Operating without a permit	Paid	\$2,000.00 \$4,000.00 suspended	6/1/06	South Puget Sound

### **Notices of Intent to Disapprove Applications & Notifications:**

When a civil penalty becomes overdue or an operator or landowner does not complete the tasks listed on an enforcement order, the department may issue a Notice of Intent to Disapprove and refuse to accept forest practices applications from that individual or company. The individual who received the notice may not participate in any form of forest practice on state or private land as an operator, employee, supervisor, manager, or consultant.

Forest practices include, but are not limited to, activities such as:

- Operating equipment
- Driving log trucks
- Tree planting
- Vegetation management
- Timber harvesting
- Forestry consulting
- Supervising forestry activities
- Certain firefighting activities

The persons or companies listed below have an effective Notice of Intent to Disapprove. It is illegal to hire them or contract with them to conduct a forest practice on state or private forest land.

<b>Notices of Intent to Disapprove in Effect as of 11 October 2005</b>					
<b>Name</b>	<b>City</b>	<b>State</b>	<b>Reason</b>	<b>Effective Date</b>	<b>Issuing Region</b>
Dills, Jeffrey B.	Longview	WA	Failure to comply with final orders Failure to pay civil penalty	8-22-2000	Pacific Cascade
Ezell, Randy	College Place	WA	Failure to comply with final orders Failure to pay civil penalty	12-3-2002	Southeast
Musial, James	Naples	ID	Failure to pay Civil Penalty issued for operating without an approved Forest Practices Application	1-27-2001	Northeast
Gallentine .Bill	Hood River	OR	Failure to pay civil penalty issued for violating several forest practices rules.	7-3-2000	Southeast
Wiltse, Kevin	Kettle Falls	WA	Failure to pay civil penalty issued for operating without an approved Forest Practices Application and violating several forest practice rules.	10-2-05	Northeast

Generally a Notice of Intent to Disapprove is lifted when the operator or landowner completes the tasks listed on an enforcement order or pays the overdue penalty for which the notice was issued. After the Notice is lifted, a landowner or operator may again participate in forest practices.